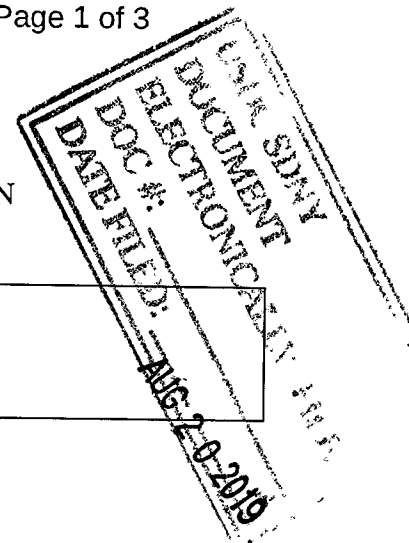


UNITED STATES DISTRICT COURT SOUTHERN  
DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN) ECF Case
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This document relates to:

*Ashton et al. v. al Qaeda Islamic Army, et al.*, 02-cv-6977 (GBD)(SN) (and member case *Betru, et al.*, *v. Islamic Republic of Iran*, 18-cv-8297)

JEANNE M. O'GRADY, Esq., hereby states under penalty of perjury that:

1. I am a member of Speiser Krause, PC and an attorney representing the *Betru* subset of *Ashton* Plaintiffs identified on Exhibit A attached hereto (the "*Betru III*" Plaintiffs), who are the subject of this motion for partial final judgment in the above-captioned litigation. I submit this Declaration in support of this motion for final judgment on behalf of only the individual Plaintiffs identified in Exhibit A, and request permission to allow any remaining *Betru* plaintiffs to move for relief in separate stages.

2. The sources of information and the basis for belief in the statements contained herein are my representation of the *Betru III* Plaintiffs in connection with the September 11<sup>th</sup> terror attacks, my firm's files, conversations with family members of these Plaintiffs, as well as other court records relating to the multi-district litigation which the *Betru III* Plaintiffs are parties. Any matters about which I lack personal knowledge are asserted herein upon information and belief.

3. All of the decedents listed in Exhibit A died in the September 11<sup>th</sup> terrorist attacks and are survived by the family members whose relationships to the decedents are described in Exhibit A. The claims listed in Exhibit A reflect individuals whose relationships to their decedents fall into one of the four categories presumptively entitled to solatium damages under this Court's prior

decisions, to wit, spouse, children, parents and siblings of those killed in the attacks.

4. We have been retained individually by the plaintiffs listed in Exhibit A to pursue recovery for their solatium losses arising out of the deaths of their loved ones on September 11, 2001. We have verified via written documentation and/or interviews that all of the plaintiffs listed in Exhibit A survived their decedents and have not recovered for their solatium damages previously. We have further confirmed that they do not have any prior judgment or pending motion before this Court for compensation arising out of the September 11<sup>th</sup> attacks.

5. In prior orders, the Court has established the loss amounts for solatium damages based on presumptive familial relationships to the decedent. *See, e.g.*, 03-md-1570 (02-cv-6977) (S.D.N.Y.)(GDB)(FM), Doc. No. 2623, entered 10/03/12, pp. 4-5; 03-md-1570 (S.D.N.Y.)(GBD)(FM), Doc. No. 3300, Filed 06/16/2016, p. 1. The Court has awarded these amounts for solatium damages to other *Betru* plaintiffs. *See* 03-md-1570 (S.D.N.Y.) (GBD)(SN), Doc. No. 4170, Entered 09/13/2018. The solatium amounts set forth in Exhibit A are the figures determined appropriate in the Court's prior orders.

6. Previously, in connection with a motion for final judgment on behalf of other *Ashton* claimants, this Court asked that to expedite issuance of final judgments, they defer decision as to the appropriate quantum of punitive damages and present a proposed order with a rate of prejudgment interest of 4.96 per annum, compounded annually. *See* 03-md-1570 (S.D.N.Y.) (GBD)(SN), Doc. No. 3362, Entered 10/14/2016. The form of the proposed order attached at Exhibit B therefore conforms to the Court's prior orders.

7. Accordingly, I respectfully request that this Court grant the proposed order attached hereto as Exhibit B.

Dated: August 6, 2019  
Rye Brook, New York

/s/ Jeanne M. O'Grady  
Jeanne M. O'Grady, Esq. (JO3362)  
Speiser Krause, PC  
800 Westchester Avenue, Suite S-608  
Rye Brook, New York 10573  
Tel: (914) 220-5333  
Fax: (914) 220-5334  
jog@speiserkrause.com

	9/11 Decedent	Plaintiff	Relationship	Solatium Damages Amount
1	Cooper, Julian	Cooper, Melinda, Individually	Spouse	\$12,500,000.00
2	Cooper, Julian	Cooper, Melinda, as Mother and Natural Guardian of J.C., a Minor	Child	\$8,500,000.00
3	Cooper, Julian	Cooper, Rose Marie	Parent	\$8,500,000.00
4	Cooper, Julian	Cooper, Delman Phillip	Sibling	\$4,250,000.00
5	Furman, Steven	Furman, Chava, Individually	Spouse	\$12,500,000.00
6	Furman, Steven	Furman, Nisan	Child	\$8,500,000.00
7	Furman, Steven	Furman, Sara Rachel	Child	\$8,500,000.00
8	Furman, Steven	Furman, Menashe	Child	\$8,500,000.00
9	Furman, Steven	Furman, Marvin	Parent	\$8,500,000.00

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**[PROPOSED] FINAL ORDER OF SUMMARY JUDGMENT**

Upon consideration of the evidence and arguments submitted by the *Betru* wrongful death Plaintiffs in the above-captioned actions and the Judgment by Default Against the Islamic Republic of Iran entered on August 26, 2015, together with the entire record in this case, and in addition to the default judgment award for compensatory damages for the pre-death conscious pain and suffering of each decedent, (*see* ECF Nos. 3226, 3229), it is hereby;

**ORDERED** that final judgment is entered on behalf of the *Betru* Plaintiffs identified in Exhibit A against the Islamic Republic of Iran; it is

**ORDERED** that the *Betru* Plaintiffs identified in the attached Exhibit A are awarded solatium damages as set forth in Exhibit A with prejudgment interest on those awards to be calculated at a rate of 4.96 percent per annum, compounded annually, over the same period;

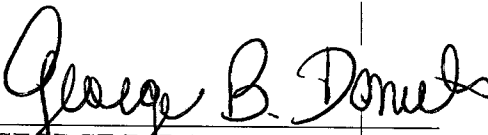
**ORDERED** that the *Betru* Plaintiffs identified in the attached Exhibit A may submit a future application for punitive damages consistent with any future rulings of this Court;

**ORDERED** that the *Betru* Plaintiffs who were not previously awarded solatium and/or economic damages may submit applications in later stages and they will be approved on the same basis as currently approved for those Plaintiffs appearing on Exhibit A.

Dated: New York, New York

AUG 20 2019 2019

SO ORDERED:

  
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GEORGE B. DANIELS  
UNITED STATES DISTRICT COURT JUDGE